

United States District Court, Eastern District of Washington
Magistrate Judge James A. Goeke
Spokane

USA v. ISRAEL GARCIA

Case No. 1:15-CR-2068-LRS-3

**Initial Appearance on Supervised Release Petition and
Detention Hearing:**

12/27/2022

- | | |
|--|---|
| <input checked="" type="checkbox"/> Lee Reams, Courtroom Deputy | <input checked="" type="checkbox"/> Stephanie Van Marter, US Atty (VTC) |
| <input checked="" type="checkbox"/> Chris Heinen, US Probation / Pretrial Services Officer (VTC) | <input checked="" type="checkbox"/> Amy Rubin, Defense Atty |
| <input checked="" type="checkbox"/> Defendant present <input checked="" type="checkbox"/> in custody USM (at medical facility) | <input checked="" type="checkbox"/> Interpreter NOT REQUIRED |

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- | | |
|--|--|
| <input checked="" type="checkbox"/> USA Motion for Detention | <input checked="" type="checkbox"/> Rights given |
| <input type="checkbox"/> USA not seeking detention | <input checked="" type="checkbox"/> Verbal Acknowledgment of Rights |
| <input type="checkbox"/> Financial Affidavit (CJA 23) filed | <input checked="" type="checkbox"/> Defendant received copy of violation petition |
| <input type="checkbox"/> The Court will appoint the Federal Defenders | <input type="checkbox"/> Defendant waived reading of petition |
| <input type="checkbox"/> Based upon conflict with Federal Defenders, the Court will appoint a CJA Panel Attorney | <input type="checkbox"/> Petition reviewed in open court |
| <input type="checkbox"/> Conditions of Release Imposed | <input type="checkbox"/> Supplemental Pre-Trial Services Report ordered |
| <input type="checkbox"/> Conditions of Release as Previously Imposed | <input checked="" type="checkbox"/> The Court ordered continued representation of previously appointed counsel with the additional Petition(s) |
| <input type="checkbox"/> AO 199C Advice of Penalties/Sanctions | |

REMARKS

INITIAL APPEARANCE-PETITION:

Defendant appeared, in custody, with counsel and acknowledged to the Court that his true and correct name is ISRAEL GARCIA. Hearing was conducted "bed-side" from medical facility. The Court, Defendant and defense counsel were present at medical facility; probation and Government were present by video conference.

Defendant was advised of his rights and the allegations contained in the violation petition (ECF No. 169).

A denial of the violations pending on the petition is entered on behalf of Defendant.

Federal Defenders ordered continued representation of Defendant based upon Financial Affidavit previously filed.

Government has filed a motion for detention (ECF No. 178).

Defendant waived a preliminary hearing and requested a detention hearing be held this date.

USA proffered an update as to potential State and Federal charges facing Defendant.

DETENTION HEARING:

USA made factual proffers and argued why the Court should detain the Defendant and why there are no conditions of release which will reasonably assure Defendant's appearance as required and/or the safety of the community.

Defense counsel made factual proffers and presented argument as to why release of Defendant and proposed release plan is appropriate based on Defendant's circumstances.

Rebuttal.

The Court, Counsel, U.S. Marshal and U.S. Probation discussed the timing of transportation of Defendant to a BOP facility.

The Court ordered:

1. USA's Motion for Detention is **granted**; subject to right to return before the Court should circumstances change.
2. The Defendant shall be detained by U.S. Marshal pending the revocation hearing or until further order of the Court.

Detention Hrg on Petition: HELD THIS DATE	Preliminary Hrg: <i>Waived by Defendant</i>	Revocation Hrg: TO BE DETERMINED